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From: Yoel Weisshaus

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Page: 1 of 1

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Yoel Weisshaus
235 Milford Avenue 2E
New Milford NJ, 07646

Cell: 917.335.1933
Tel: 201.357.2651
Fax: 201.625.6313
Email: yoelweisshaus@yahoo.com

February 23, 2021

To: The Honorable Brian M. Cogan, Judge
United States District Court
Eastern District of New York
225 Cadman Plaza E,
Brooklyn, NY 11201

Re: Weisshaus v. Cuomo. 1:20-cv-5826 (BMC)

Dear Judge Cogan,

I am plaintiff and submit this letter requesting a pre-motion conference to be relieved from my attorney, Eugene M. Lynch, and to proceed *pro se*.

On February 2, 2021, the Defendant filed its pre-answer motion to dismiss. As the Court is aware, my attorney defaulted on answering the pre-answer motion to dismiss.

On February 1, 2021, during the snowstorm my arm was injured while on my way to do a removal. As a direct result, for several days thereafter, coupled with the inclement weathers, I was unable to meet with my attorney to review the pending motion. We were scheduled to meet February 11, 2021; came that day and he could not be reached.

Starting from February 11, 2021 to the present, I have been trying to get ahold of my attorney, by phone, email and text messages but to no availing. He is unreachable. I went to his office and was told that he has not been seen since February 10, 2021. I contacted his brother to check on his wellbeing, and no response was received.

I am conflicted on this situation, since it is asking the Court to take a usual step and receive correspondence from a party who is technically represented by counsel. Although there have not been any issues that could affect the relationship with my attorney, since my attorney is unavailable to represent me, it is imperative that I must seek his substitution so this case can move forward. I believe that this pre-motion conference letter will allow the Court the best way to assess this situation and evaluate whether a motion is necessary.

Very truly yours,

/s/ Yoel Weisshaus

Cc: Todd A. Spiegelman, via fax (212) 416-6075